GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

MA&UD Department – Establishment - PH&ME - Re-fixation of seniority of Sri M.Narayana Rao, SE in the cadre of Executive Engineers (EE) on par with his batch mates of the 1989 APPSC Batch and consideration for notional promotion to the post of Executive Engineer w.e.f. 19.07.2005 and to the post of Superintending Engineer w.e.f. 28.03.2017 – Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (C1) DEPARTMENT

G.O.RT.No. 111 **Dated: 17-02-2025**

Read the following:

1. Representation of Sri M. Narayanarao, Executive Engineers (EE), dated 10.07.2017.
2. Government Memo.No.666865/C1/2017-3, dated 08.11.2017 & 07.11.2019.
3. Proceedings No.5499/CS1/2013-Zone-II, dated 09.04.2013 of ENC (PH)
4. Orders of Hon'ble High Court in WP.No.15923/2019 and WP.No.15924 / 2019, dated 04.01.2022.
5. Government Memo dated 05.02.2024 & 24.04.2024.
6. From the Engineer-in-Chief, Public Health, Letter No.3339/CS1/2024, Dated:23.02.2024, 16.05.2024.

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O R D E R:

In the reference 1st read above Sri M.Narayanarao, Superintending Engineer, has requested for re-fixation of his seniority in the cadre of Executive Engineer (EE) on par with his 1989 APPSC Batch mates in Zone-II and for notional promotion to the post of Executive Engineer w.e.f. 19.07.2005 and Superintending Engineer w.e.f. 28.03.2017.

2. The Engineer-in-Chief (PH) has reported that Sri M. Narayanarao was initially appointed as AEE in Zone VII in 1989 and was later repatriated to the parent Zone-II in the year 2008 under G.O.610 and the Six Point Formula. A review DPC was convened on 04.04.2013, which assigned notional date of promotion to the post of Deputy Executive Engineer (Dy.EE) as 16.03.2000 for Sri M. Narayanarao. However, the said notional date was not considered for his promotion to the post of Executive Engineer and Superintending Engineer.

3. The Engineer-in-Chief (PH) has reported that the seniority list of Deputy Executive Engineers dated 29.09.2010 was challenged in the Hon'ble High Court, in WP No. 23807/2013 and batch. The Hon'ble High Court of Telangana, in its order dated 12.06.2023, dismissed WP No.23807/2013 as in fructuous, thereby restoring the order dated 23.07.2013 passed in OA No. 507/2013 by the Hon'ble AP Administrative Tribunal, which directed the respondents to consider the cases of the applicants for promotion based on the seniority list dated 29.09.2010.

4. The ENC (PH) has requested the Government to issue necessary orders for the review of seniority of Sri M. Narayanarao in the cadre of Executive Engineer, duly considering his notional dates of promotion in the cadre of Deputy Executive Engineers, i.e., 16.03.2000.

5. The above proposals has been examined by the Government and the ENC, PH has been requested to call for objections from the affected persons in the cadre of Executive Engineers and Superintending Engineers on fixing notional date of promotion in respect of Sri M.Narayana Rao, SE in the cadre of EE and SE on par with his batch mates i.e. 1989 APPSC Batch of AEEs in Zone-II. The ENC(PH) has furnished his remarks stating that the present request of Sri M.Narayanarao, SE is based on the already assigned notional date in the cadre of Dy.EE and there are no other affected candidates in the cadre of EEs and SEs, and hence it would not be necessary to re-call for objections from the EEs and SEs of 1989 APPSC Batch and earlier in many such cases the notional dates have been assigned to affected individuals in the cadre of EEs/SEs/ CEs after examining the facts and as per the finalized list.

P.T.O.

6. The ENC (PH) has finally recommended that the notional date of promotion for Sri M.Narayanarao, to the post of Executive Engineer is 19.07.2005, and to the post of Superintending Engineer is 28.03.2017.

7. The above proposal has been examined and when consulted the advisory department, it is observed that Rule 33(a) of the AP State and Subordinate Service Rules, 1996, which states that the seniority of a person in a service, class, category, or grade shall be determined by the date of their first appointment to such service, class, category, or grade, unless reduced to a lower rank as punishment. Further, Government vide Circular Memo No.9543/MC/2007-7, G.A.(MC) Dept., dated:21.6.2007, has issued instructions, among others it is stated that "if the number of request exceed the number of non locals to be repatriated, the senior most will be ordered to be repatriated. Such repatriation orders be issued as transfer orders to the other cadres and in Public Interest as permitted under 5(2) (c) of the Presidential Order. These employee shall be eligible for TTA and their seniority shall be governed by Rule 33 of the A.P. State and Subordinate Service Rules"

8. After careful consideration of the reports and recommendations submitted by the ENC (PH) and the remarks of the advisory Department, the Government have decided to accept the recommendations of the ENC (PH) and order that Sri M.Narayanarao, who is promoted to the post of Superintending Engineer on 06.09.2022 vide G.O.Rt.No.662, MA&UD (C) Department., dt.06.09.2022 is eligible for notional date of promotion to the post of Executive Engineer on 19.07.2005 on par with his batchmates and the notional date of promotion to the post of Superintending Engineer on 28.03.2017, placing him on par with the APPSC 1989 Batch, without any retrospective monetary benefits.

9. The Engineer-in-Chief, Public Health, is requested to take necessary action to implement the above orders and issue the necessary proceedings in this regard.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.SURESH KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To:
The Engineer-in-Chief (Public Health),
Garuda Enclave, Tadepalli, Guntur District
The Individual **through** Engineer-in-Chief (PH), Tadepalli.
Copy to:
The GA (ser C) Department, AP Secretariat.
The OSD to Hon'ble Minister, MA&UD Department.
The P.S. to Principal Secretary to Govt., MA&UD Department.
The SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER